

Message Text

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ORIGIN L-03

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DRAFTED BY L/ARA:F.WILLIS:L/M:G.LEHNER:JV
APPROVED BY L/M:G.MALMBORG
JUSTICE - GUY GOODWIN (SUBS)
ARA/MEX - J. DREYFUSS

-----071335Z 073817 /41

R 070020Z MAY 77
FM SECSTATE WASHDC
TO AMEMBASSY MEXICO
INFO AMCONSUL MERIDA

C O N F I D E N T I A L STATE 104283

E.O. 11652: GDS

TAGS: PINS, MX, US

SUBJECT: CUBAN CONSUL ASSASSINATION ATTEMPT--PROSECUTION OF SUSPECTS

REF: WILLIS/STARRS MEETING OF MAY 2

1. JUSTICE DEPARTMENT INFORMS US THAT GUSTAVO CASTILLO HAS NOW BEEN ACQUITTED ON STATE CHARGES RESULTING FROM BOMBING INCIDENT. JUSTICE FILED A MOTION FOR CONTINUANCE OF THE TRIAL FOR PASSPORT FRAUD TO PROVIDE TIME TO ACQUIRE NECESSARY EVIDENCE FROM GOM, BUT MOTION WAS DENIED AND THE CASE WAS DISMISSED. CASTILLO THUS HAS BEEN RELEASED. GRAND JURY INVESTIGATION CONTINUES AS TO INVOLVEMENT OF CASTILLO AND GASPAR JIMENEZ AND ORESTES RUIZ HERNANDEZ IN FEDERAL CRIMES ARISING FROM THEIR TRANSPORTATION OF GUNS AND EXPLOSIVES TO MEXICO IN CONNECTION WITH ASSASSINATION ATTEMPT IN MEXICO, AND THEREFORE WE STILL EARNESTLY SEEK
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MEXICAN COOPERATION IN OBTAINING SATISFACTORY EVIDENCE TO BRING CHARGES AGAINST CASTILLO AS SET OUT IN PREVIOUS CABLES THIS SUBJECT.

2. JUSTICE ALSO INFORMS THAT GASPAR JIMENEZ ARRIVED IN MIAMI, FLORIDA ON MAY 2, 1977. GASPAR JIMENEZ IS ONE OF THE THREE MIAMI CUBAN EXILES WHO ATTEMPTED TO KIDNAP THE

CUBAN CONSUL IN MERIDA, YUCATAN, MEXICO, IN JULY, 1976.

THE ATTEMPT FAILED AND JIMENEZ AND ORESTES RUIZ HERNANDEZ WERE SUBSEQUENTLY ARRESTED IN MEXICO. IT SHOULD ALSO BE NOTED THAT JIMENEZ ESCAPED FROM A MEXICAN JAIL IN MARCH, 1977, AND HAD NOT BEEN SEEN NOR HEARD OF UNTIL HIS ARRIVAL IN MIAMI OVER THE PAST WEEKEND.

JIMENEZ WAS SERVED WITH A GRAND JURY SUBPOENA ON MAY 2, 1977, REGARDING HIS KNOWLEDGE OF THE MILIAN BOMBING WHICH OCCURRED ON APRIL 30, 1976, AT WHICH TIME INSTANT EXPLOSION CAUSED EMILIO MILIAN, NEWS DIRECTOR, WQBA, A CUBAN RADIO STATION IN MIAMI, TO LOSE BOTH OF HIS LEGS. JIMENEZ IS SLATED TO GO BEFORE THE FEDERAL GRAND JURY IN THE SOUTHERN DISTRICT OF FLORIDA, MIAMI, FLORIDA, ON MAY 13, 1977.

3. IN LIGHT OF GOM'S PREVIOUSLY EXPRESSED INTEREST IN CASTILLO AND JIMINEZ THEY SHOULD BE INFORMED OF THESE DEVELOPMENTS ASAP.

4. GOM DEPUTY ATTORNEY GENERAL ROSALES MIRANDA EXPRESSED TO JUSTICE REPRESENTATIVES WHEN THEY WERE IN MEXICO ON CASTILLO INVESTIGATION THAT GOM HAD A VERY STRONG INTEREST IN THE POSSIBILITY OF EXTRADITION OF CASTILLO. IN VIEW OF GOM'S SUBSTANTIAL INVOLVEMENT WITH JIMINEZ TO DATE--HIS ARREST AND IMPRISONMENT ON MURDER CHARGES IN MEXICO--WE ASSUME THAT GOM'S INTEREST WOULD BE AS STRONG OR STRONGER IN HIS EXTRADITION AS IS THEIR INTEREST IN CONFIDENTIAL

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CASTILLO. JUSTICE WOULD LIKE TO KNOW WHAT POSITION GOM MAY WANT TO TAKE TOWARD REQUESTING EXTRADITION OF JIMINEZ AND STATUS OF THEIR THINKING ON CASTILLO.

5. PLEASE ADVISE DEPT. AS TO STATUS OF POTENTIAL REQUEST FOR EXTRADITION OF CASTILLO AND JIMINEZ. YOU SHOULD STRESS TO GOM THAT IN THE EVENT IT WISHES TO INITIATE EXTRADITION PROCEEDINGS, THE DEPT. WILL BE PREPARED TO ACT AS EXPEDITIOUSLY AS POSSIBLE TO PROCESS SUCH REQUESTS.

6. FYI. EMBASSY SHOULD NOT REPEAT NOT SPECIFICALLY SOLICIT EXTRADITION REQUEST FROM MEXICO. HOWEVER, IT IS CLEAR GOM HAS A PRIMARY INTEREST IN CASTILLO AND JIMINEZ, AND DISCUSSING THEIR INTEREST AND OUR WILLINGNESS TO ACT EXPEDITIOUSLY IN THE EVENT OF A REQUEST FROM THEM IS NOT ONLY PROPER BUT APPROPRIATE GIVEN THE CIRCUMSTANCES OF THE CASE. WE, OF COURSE, ASSUME GOM WOULD BE VERY INTERESTED IN HAVING CASTILLO AND JIMINEZ RETURNED AS SOON AS POSSIBLE. END FYI. CHRISTOPHER

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